Application Number		10/773,054	ntroi No.	Re	oplicant(s)/Patent ( examination EDARAT, HOSSE	
Document Code - DISQ			Internal Document – DO NOT MAIL			
TERMINAL DISCLAIMER	×	☑ APPROVED		☐ DISAPPROVED		
Date Filed : December 21, 2007	•	This patent is subject to a Terminal Disclaimer				
					·	
Approved/Disapproved by:						
Henry D. Jefferson					,	

U.S. Patent and Trademark Office

Attorney Docket No.: 6491P076

Patent

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

pplicant

: Hossein Sedarat, et al.

Examiner:

Zheng, Eva Y

Appl. No.

: 10/773,054

2611

Filed

DEC .2 1 2007

: February 4, 2004

TC/A.U.:

Confirmation No. 5481

For

: Reliable Multicarrier

Communication in the

Presence of Timing Phase

Error

**CERTIFICATE OF MAIL** 

I hereby certify that this correspondence is being submitted deposited with the United States Postal Service date shown below with sufficient postage as first class mail in an envelope addressed to:

Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Customer

: 08791

No.

December 19, 2007

Date

Mail Stop Amendment **Commissioner for Patents** P.O. Box 1450 Alexandria, VA 22313-1450

## TERMINAL DISCLAIMER UNDER 37 C.F.R. § 1.321(c)

Sir:

The undersigned attorney represents that the undersigned attorney is the attorney of record for the above-referenced patent application.

The assi	gnee of the entire	rignt, title, and inte	erest in and to the above-
referenced pate	ent application is _	2Wire, Inc.	(Name of Assignee)
a <u>Delaware</u>	(State of Inc	corporation) corpo	ration having a place of
business at	1704 Automati	on Parkway, San	Jose, California, 95131 .

12/26/2007 SSESHE1 00000004 022666 10773054

02 FC:1814

130.00 DA

6491P076

Any patent granted on application No. 10/721,445

1

The terminal part of any patent granted on the above-identified application (application No. 10/773,054) that would extend beyond the expiration of the full statutory term of any patent granted on application number 10/721,445 is hereby disclaimed, except as provided below, and it is agreed that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to any patent granted on application number 10/721,445, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantor, its successors, or assigns.

No disclaimer is being made as to any terminal part of any patent granted on the above-identified application prior to the expiration of the full statutory term of any patent granted on application number 10/721,445 in the event that any patent granted on application number 10/721,445 later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The Director is authorized to charge in the amount of \$130.00 to Deposit Account No. 02-2666 to cover the fee under 37 C.F.R. § 1.20(d).

Please charge Deposit Account No. 02-2666 for any fee deficiency that may be due.

A duplicate of this Terminal Disclaimer is enclosed for Deposit Account charging purposes.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: December 19, 2007

Darfiel E. Ovanezian Reg. No. 41,236

1279 Oakmead Parkway Sunnyvale, CA 94085-4040 (408) 720-8300

## T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT

Date:			23-Jan-08	APPL. S. N:	10773054				
To Exar	niner:		ZHENG, EVA	Art Unit	2611				
From			Jefferson, Henry PARALEGAL SPCECIALIST	Return This Memo To: Case Drop-Off Location	JEF-2D68				
SUBJE	CT: Decisi	on on Termina	l Disclaimer(T.D.) filed:						
form pa or have	ragraphs any ques	identified by t tions, please s	his informal memo in your nex see me or the Special Program	e results as set forth below. If you out on the section to notify applicant of the Examiner. THIS IS AN INFORMAL OF RECORD IN THE APPLICATION I	of the T.D. If you disagree				
olease i	nitial, dat	e and return tl	his memo to me. THANK YOU.						
区	The T.D	. is PROPER ar	nd has been recorded (see 14.	.23).					
	The T.D	. is NOT PROP	ER and has not been accepted	for the reason(s) checked below (	(see 14.24):				
		The TD fee o		itted nor is there any authorization	n in the application file for the				
		his/her inter	The T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the interest of the business entity represented by the signature) in the application/patent (see 14.26 & 14.26.01).						
	Γ	The T.D. lacks the enforceable only during common ownership clause – needed to overcome a non-statutory double patenting rejection, Rule 321(b) (see 14.27.01).							
	Γ.	The T.D. is directed to a particular claim(s), which is not acceptable since "the disclaimer must be for a terminal portion of the term of the entire patent to be granted" (MPEP 1490) (see 14.26 & 14.26.02).							
	$\vdash$	The person v	vho signed the T.D.:						
		is n	ot an attorney "of record" (se	e 14.29 and 14.29.01).	•				
		has	failed to state his/her capacit	ty to sign for the business entity (s	see 14.28).				
		is n	ot recognized as an officer of	the assignee (see 14.29 & possible	e 14.29.02).				
	Γ	nor is the rea (see 37 CFR	el and frame number specified 3.73(b) and 1140 O.G. 72). N	e from the original inventor(s) to a I as to where such evidence is reco IOTE: This documentary evidence o r in a separate paper of record in th	orded in the Office or the specifying of the reel and				
		The T.D. is n	ot signed (see 14.26 & 14.26.	.03).					
		The serial number of the application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect (see 14.32).							
		The serial number of this application (or the number of the patent in reexam or reissue cases being disclaimed is missing or incorrect (see 14.26, 14.27.02 or 14.26.05).							
		The period d	isclaimed is incorrect or not sp	pecified (see 14.26, 14.27.02 or 14	1.26.03).				
		Other:							
	Γ.		o request refund (see 14.36). heck this item.	NOTE: If already authorized, credi	it refund to deposit account				
have a	ppropriat	ely notified ap	plicant(s) of the status of the	Terminal Disclaimer filed in this ca	se.				
x.Initia	ıls:	Dat	e:		Log Date:				